

5939. Adulteration of tomato pulp. U. S. * * * v. 250 Cases * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. F. & D. No. 8178. I. S. No. 11750-m. S. No. C-679.)

On March 13, 1917, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 250 cases, each containing 4 dozen cans of tomato pulp, remaining unsold in the original unbroken packages at Chicago, Ill., alleging that the article had been shipped on November 18, 1916, by the Baltimore Canning Co., Baltimore, Md., and transported from the State of Maryland into the State of Illinois, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Ruxton Brand Tomato Pulp."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance.

On December 6, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

C. F. MARVIN, *Acting Secretary of Agriculture.*